

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARIO WOOTEN,

Plaintiff,

No. CIV S-05-0734 GEB KJM P

vs.

SHERIFF ED PRIETO, et al.,

Defendants.

ORDER

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Plaintiff, a county jail inmate proceeding pro se, has filed a civil rights action under 42 U.S.C. § 1983 together with a request for leave to proceed in forma pauperis under 28 U.S.C. § 1915. However, the certificate portion of the request, which must be completed by plaintiff's institution of incarceration, has not been filled out. Also, plaintiff has not filed a **certified** copy of his inmate trust account statement for the six month period immediately preceding the filing of the complaint. See 28 U.S.C. § 1915(a)(2). Plaintiff will be provided the opportunity to submit a completed in forma pauperis application and a **certified** copy in support of his application.

Plaintiff indicates that prison staff is not cooperating in the preparation of the required certification of trust account information. If petitioner, despite good faith efforts, is unable to obtain the required certifications within the time period provided by this order, he may

1 submit for the court's consideration a declaration under penalty of perjury identifying by name
2 the prison staff members he asserts have not followed through on his requests for certification.

3 In accordance with the above, IT IS HEREBY ORDERED that:

4 1. Plaintiff shall submit, within thirty days from the date of this order, a
5 completed affidavit in support of his request to proceed in forma pauperis on the form provided
6 by the Clerk of Court;

7 2. The Clerk of the Court is directed to send plaintiff a new Application to
8 Proceed In Forma Pauperis By a Prisoner, addressed to the new address set forth in the affidavit
9 filed June 3, 2005; and

10 3. Plaintiff shall submit, within thirty days from the date of this order, a *certified*
11 copy of his inmate trust account statement for the six month period immediately preceding the
12 filing of the complaint. Plaintiff's failure to comply with this order likely will result in a
13 recommendation that this action be dismissed without prejudice.

14 DATED: June 13, 2005.

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17 UNITED STATES MAGISTRATE JUDGE
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